

### **Remarks**

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

Claims 1, 4, 5, 7, 8, 10-15 and 22-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi (US 5,672,091) in view of Stephan (AU 245213) and Birang (US 5,964,643).

Initially, the Applicants' representatives would like to thank the Examiner for conducting the interview on January 26, 2005. During the interview, the above-mentioned references were discussed in light of new claims 26-38 and it was agreed to that the references of record did not disclose or suggest at least one optical measuring device able to measure a thickness of a layer formed on a surface of a substrate from an outer circumferential edge of the substrate to a center of the substrate in a continuous manner when the thickness of the layer formed on the surface of the substrate is measured by the at least one optical measuring device. As a result, this feature has been added to independent claims 26, 31 and 35.

Further, claims 26, 31 and 35 have been amended so as to remove the limitations that the main part or intermediate portion of the polishing surface has no through holes. These limitations are now located in new claims 36-38.

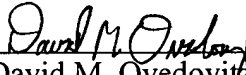
Because of the above mentioned distinctions, it is believed clear that claims 26-38 are allowable over the combination of Takahashi, Stephan and Birang. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 26-38. Therefore, it is submitted that claims 26-38 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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